

REMARKS

IN THE CLAIMS

The following claims are amended to better describe the Applicants' invention.

In claim 1, now twice amended:

In lines 4 – 6, the phrase “a chemical composition and a substantially uniform shape, wherein said chemical composition of each of said first glass rods is chosen to provide” is DELETED as unnecessary and confusing since the referenced property is a functionally dependent upon the chemistry of the recited glass rods.

In line 7, the comma AFTER the words “refractive indices” is DELETED.

In lines 7 and 8, the phrase “and wherein said step of collecting further includes the step of combining said first glass rods to provide a predetermined target refractive index” is also DELETED as unnecessary and redundant since the clause, as re-phrased in lines 9 and 10, recites how the target index is provided.

In line 9, the phrase “said two or more refractive indices” is DELETED and REPLACED with the phrase -- the refractive index of each of said first glass rods -- ; and in line 10, the word “said” is DELETED and REPLACED with the word -- a -- . Support for the change is found in page 8, lines 13 – 21 and in original claim 4, now canceled.

In claim 8, now twice amended:

In line 1, the words “further including” AFTER the phrase “The method of claim 1,” are DELETED and REPLACED With the word -- wherein --.

In line 2, BEFORE the word “removing”, the words -- inserting said contiguous bundle further includes the steps of --; the words -- from said preform assembly -- are ADDED AFTER the words “first glass rods” but BEFORE the comma; and the words “the step of” are DELETED. The change is made to clearly recite where groups of first

glass rods are removed during the process of preparing a preform assembly. Support is found on page 21, lines 7 – 24 and in FIG. 10.

In line 4, AFTER the words “second glass rods”, the word “comprising” is DELETED and REPLACED with the phrase -- , wherein said second glass rods comprise -- to better recite the claim.

In line 5, the definite article “said” is DELETED and REPLACED with the indefinite article -- a -- to correct antecedence of the term “value” as it refers to the first glass rods.

In line 7, the word -- axis -- is ADDED AFTER the word “center” to more clearly define the placement of the second glass rods. Support is found in original claim 14, now canceled, and in the inherency of FIGs. 4, 7, 8A – 8D, 9 and 10.

In lines 7 and 8, AFTER the words “contiguous bundle” but BEFORE the period ending the sentence, the phrase “or about said center point and between first and second radii about said center point”, is DELETED as unnecessary and redundant owing to the foregoing clause.

In claim 9, now twice amended:

In line 1, the word “step” is DELETED and REPLACED with the plural form of the word -- steps -- in order to comport the claim with the amendment of claim 8.

In lines 2 and 3, the words “first groups from said preform assembly” AFTER the words “one or more” is DELETED and REPLACED with the word -- groups -- . The change is made to clarify the claim.

In claim 11, now twice amended:

In line 4, AFTER the words “one or more steps or” and BEFORE the word “plugs”, the words -- one or more removable -- are ADDED for clarity. Support is found at page 21, lines 11 and 19 – 22 of the written specification and in the inherency of FIG. 10.

In lines 4 and 5, AFTER the word “plugs” but BEFORE the period ending the sentence, the comma and phrase “, said steps or plugs acting to partially displace said one or more groups of first glass rods” is DELETED as redundant and unnecessary.

In currently amended claim 12:

In line 1, the words -- one or more removable -- are ADDED AFTER the words “wherein said” and BEFORE the word “plugs”. The change is made to provide proper antecedence for the term in the claim.

In claim 13, now twice amended:

In lines 1 – 3, AFTER the word “wherein” in line 1 the phrase “said one or more plugs of said stepped template are removable, and wherein said step of removing and replacing further includes the step of removing” is DELETED as redundant since the limitation of “removable” is now incorporated in claim 11.

In line 4, the word -- removable -- is ADDED BEFORE the word “plugs” to provide proper antecedence for the term in the claim; and the words “such that” BEFORE the words “longitudinal spaces” are DELETED and REPLACED with the words -- are removed to provide -- to clarify the claim. Support is found at page 21, line 11, and 19 – 24 of the written specification.

In lines 4 – 7, the phrase “equivalent to each said one or more plug shapes remain within said stepped template and within said contiguous bundle adjacent to said stepped template, said spaces in said stepped template and said contiguous bundle acting as a guide to allow entry, and” is DELETED as confusing and unnecessary and is REPLACED with the words -- to act as guides -- . Support is found in the inherency of the deleted content of this phrase.

OBJECTION to the CLAIMS

Examiner's §1

Examiner has objected to claims 8, 9, and 11 – 13 under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Examiner requires Applicants to cancel the claim(s) or amend the claim(s) to place them in proper dependent form or in independent form.

Applicants' Response

Applicants thank the Examiner for his remarks and respectfully acknowledge these errors. Applicants, therefore, have amended claims 8, 9, and 11 – 13 to correct the prior errors and respectfully request reconsideration of the claims now presented.

REJECTION UNDER 35 U.S.C. §102(b)

Examiner's §3

Claims 1, 3, 5, 6, 8, 9, and 11 – 13 are pending in the application.

Claims 1, 3, 5, and 6 are rejected under 35 U.S.C. §102(b) as being anticipated by Hopkins, et al., (U.S. Patent Serial Number 3,395,006). Examiner argues that Hopkins, et al., ('006) disclose the bundling and insertion of the bundle into a tube (col. 1, lines 67 – 72); that Hopkins, et al., ('006) disclose that the tube is glass (col. 4, line 48); and that Hopkins, et al., ('006) disclose two refractive indices (col. 3, lines 39 – 47).

Applicants' Response

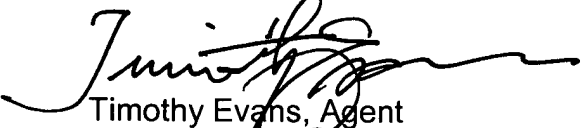
Applicants thank the Examiner for his remarks. Moreover, Applicants agree that Hopkins, et al., ('006) disclose the above aspects of the invention as noted by the Examiner. However, in order to find anticipation Applicants note that MPEP §2131 requires that all claim limitations be fairly disclosed or inherently taught by a single reference. Applicants further note that they claim "...wherein each of said first glass rods

taught by the prior art. Applicants, therefore, respectfully request favorable reconsideration of the claims now presented and allowance of this application is earnestly solicited.

This response is:

Respectfully submitted by,

SANDIA NATIONAL LABORATORIES

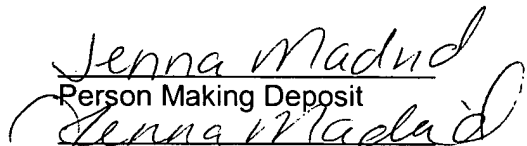
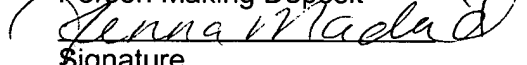

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CERTIFICATION UNDER 37 CFR 1.8

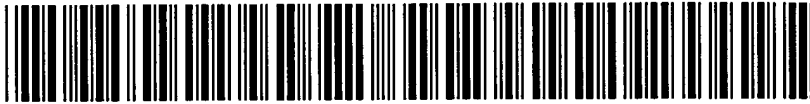
I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U. S. Postal Service on **JANUARY 30, 2004**, in an envelope as First Class mail addressed to: Commissioner for Patents, Mail Stop Non Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450

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